



# Journal of the House

State of Indiana

115th General Assembly

First Regular Session

Fourth Meeting Day

Thursday Afternoon

January 11, 2007

The House convened at 1:00 p.m. with Speaker B. Patrick Bauer in the Chair.

The Speaker stated, "Having conferred with the Attorney General and no objection raised, the temporary House policy while the prayer lawsuit is pending in the courts will be a scripted prayer."

The Speaker read a prayer for health and well-being: "Almighty God, we come before you today humbled by the magnitude of the responsibilities of this office.

Fill our hearts with confidence and a renewed faith in our work.

As the foundation of our faith, we ask you to guide, protect, and strengthen us during the 115<sup>th</sup> Session of the Indiana General Assembly.

We pray for the health, enlightenment and well-being of this legislative body.

We thank you for the continuity of government that this assembly represents and for the many blessings granted to this state throughout its history.

Guide and bless these men and women who have been sent here by the people of Indiana and who have been ordained by You to govern this great state.


Amen."


The Pledge of Allegiance to the Flag was led by Representative Carolene R. Mays.

The Speaker ordered the roll of the House to be called:

Austin	Denbo
Avery	Dermody
Bardon	Dickinson
Battles	Dobis
Behning	Dodge
Bell	Duncan
Bischoff	Dvorak
Borders	Eberhart
Borrer	Elrod
Bosma	Espich
C. Brown	Foley
T. Brown	Friend
Buck	Frizzell
Buell	Fry
Burton	GiaQuinta
Candelaria Reardon	Goodin
Cheatham	Grubb
Cheney	Gutwein
Cherry	E. Harris
Cochran	T. Harris
Crawford	Herrell
Crooks	Hinkle
Crouch	Hoy
Davis	Kersey
Day	Klinker
Dembowski	Knollman

Koch  
Kuzman  
L. Lawson  
Lehe  
Leonard  
Lutz  
Mays  
McClain  
Micon  
Moses  
Murphy  
Neese  
Niezgodski  
Noe  
Orentlicher  
Oxley  
Pelath  
Pflum  
Pierce  
Pond  
Porter  
Reske  
Richardson  
Ripley

Robertson  
Ruppel  
Saunders  
M. Smith  
V. Smith  
Soliday  
Stemler  
Stevenson  
Stilwell  
Stutzman  
Summers  
Thomas  
Thompson  
Tincher  
Torr  
Turner  
Tyler  
Ulmer  
VanHaaften  
Walorski  
Welch  
Whetstone   
Wolkins   
Mr. Speaker

Roll Call 4: 98 present; 2 excused. The Speaker announced a quorum in attendance. [NOTE:  indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 16, 2007 at 1:00 p.m.

BISCHOFF

Motion prevailed.

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 7 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL  
Principal Secretary of the Senate

## INTRODUCTION OF BILLS

The following bills were read a first time by title and referred to the respective committees:

**HB 1145** — Kersey

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1146** — Bischoff

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1147 — Bischoff**

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1148 — Murphy**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

**HB 1149 — Murphy**

Committee on Interstate and International Cooperation

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1150 — Murphy**

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1151 — Noe**

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

**HB 1152 — Noe**

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

**HB 1153 — Cheney**

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1154 — Orentlicher**

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1155 — T. Harris**

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1156 — T. Harris**

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

**HB 1157 — Cheney**

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**HB 1158 — Fry**

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1159 — Fry**

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1160 — Fry**

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1161 — Fry**

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1162 — Kersey**

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**HB 1163 — Orentlicher**

Committee on Small Business and Economic Development

A BILL FOR AN ACT to amend the Indiana Code concerning property.

**HB 1164 — Cochran, Dobis**

Committee on Commerce, Energy and Utilities

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

**HB 1165 — Cochran, Kuzman**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1166 — Cochran, Stemler**

Committee on Small Business and Economic Development

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

**HB 1167 — Micon, Klinker, Crawford, Buell**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1168 — Micon, Grubb**

Committee on Commerce, Energy and Utilities

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**HB 1169 — Goodin**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning education and to make an appropriation.

**HB 1170 — Goodin**

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1171 — Goodin**

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1172 — Goodin**

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

**HB 1173 — Goodin**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1174 — Davis**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1175 — Dvorak**

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning labor.

**HB 1176 — Dvorak**

Committee on Ways and Means

A BILL FOR AN ACT concerning pensions.

**HB 1177 — Dvorak**

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**HB 1178 — Dvorak**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general assembly.

**HB 1179 — Dvorak**

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1180 — Leonard, Reske, Borrer, T. Harris**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1181 — Reske**

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1182 — Reske**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

**HB 1183 — Reske**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1184 — Reske**

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1185 — Withdrawn pursuant to House Rule 111****HB 1186 — Withdrawn pursuant to House Rule 111****HB 1187 — Reske**

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1188 — Grubb, Ulmer**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1189 — Herrell**

Committee on Commerce, Energy and Utilities

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

**HB 1190 — Murphy**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1191 — Ulmer, Klinker**

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1192 — Ulmer**

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**HB 1193 — Crawford**

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1194 — Crawford**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning human services and to make an appropriation.

**HB 1195 — Crawford**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1196 — Crawford**

Committee on Financial Institutions

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1197 — Pflum, Saunders**

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**HB 1198 — Pflum**

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1199 — Pflum**

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1200 — Murphy, Reske**

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1201 — Murphy, Reske, Stemler**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1202 — Pelath**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1203 — Pelath, Oxley**

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1204 — Pelath**

Committee on Small Business and Economic Development

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

**HB 1205 — Pelath**

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1206 — Pelath, Turner**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1207 — Klinker, Micon, Grubb**

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

**HB 1208 — Micon, Avery**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

**HB 1209 — VanHaaften, Crooks**

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

**HB 1210 — VanHaaften**

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

**HB 1211 — VanHaaften**

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1212 — VanHaaften**

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1213 — VanHaaften**

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1214 — Pierce**

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning property.

**HB 1215 — Cochran, Kuzman**

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1216 — Hoy**

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1217 — Hoy**

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**HB 1218 — Hoy**

Committee on Small Business and Economic Development

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1219 — Hoy**

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

**HB 1220 — Hoy**

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**HB 1222 — Summers, Duncan**

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT concerning human services and to make an appropriation.

**HB 1223 — Summers, Whetstone**

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1224 — Summers**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1225 — Hinkle, Crawford**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1227 — T. Harris**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1228 — Grubb, Whetstone**

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning property.

**HB 1229 — Grubb, T. Brown, Whetstone**

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1230 — Summers, Porter**

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1231 — Day, Hinkle**

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1232 — Moses, Buell**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1233 — Murphy**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1234 — Stevenson**

Committee on Commerce, Energy and Utilities

A BILL FOR AN ACT to amend the Indiana Code concerning commercial law.

**HB 1235** — Grubb

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**HB 1236** — Welch, Pierce, Leonard

Committee on Ways and Means

A BILL FOR AN ACT concerning Indiana's tax system and to make an appropriation.

**HB 1237** — Welch, L. Lawson, C. Brown, Orentlicher

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1238** — Welch, C. Brown

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1239** — Welch, Koch, Cheatham, Turner

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

**HB 1240** — Welch, C. Brown, Borror

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1241** — Welch, T. Brown, C. Brown

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1242** — Mays, C. Brown, V. Smith, T. Harris

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

**HB 1243** — Mays, Hoy

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1244** — Stilwell, Crouch, Oxley

Committee on Ways and Means

A BILL FOR AN ACT concerning natural and cultural resources and to make an appropriation.

**HB 1245** — T. Brown, Klinker

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1246** — T. Brown

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1247** — Ripley

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**HB 1248** — Ripley

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1249** — Ripley

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1250** — Ripley

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1251** — Ripley

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1252** — Ripley

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1253** — Tincher, Stilwell

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**HB 1254** — Kuzman, Buell

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1255** — V. Smith, C. Brown

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1256** — V. Smith, Porter

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1257** — V. Smith, Porter

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1258** — V. Smith, Orentlicher, Porter

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1259** — Crooks

Committee on Commerce, Energy and Utilities

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1260** — Crooks

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1261** — Pelath, Kuzman

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

**HB 1262** — Pelath

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

**HB 1263 — Avery, Welch**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1264 — Avery**

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**HB 1265 — Avery**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly and to make an appropriation.

**HB 1266 — Avery**

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1267 — Friend, Ulmer**

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1268 — Friend**

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1269 — Friend**

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1270 — Orentlicher**

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1271 — Torr, Bosma, Elrod, Lehe**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly and to make an appropriation.

**HB 1272 — Cherry**

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1273 — Cherry, Wolkins**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1274 — Herrell, Ulmer**

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1275 — Leonard, Tincher**

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1276 — Friend**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1277 — Friend**

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

**HB 1278 — Lutz, Austin**

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1279 — Lutz**

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**HB 1280 — Kersey**

Committee on Interstate and International Cooperation

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**HB 1281 — Koch, Grubb**

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**HB 1282 — T. Harris**

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1283 — Tincher**

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**HB 1284 — Tincher, Whetstone**

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1285 — Richardson**

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1286 — Richardson**

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**HB 1287 — Richardson**

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**HB 1288 — E. Harris, Porter**

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1289 — E. Harris, Kuzman**

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1290 — E. Harris, Porter**

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1291** — VanHaaften

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**HB 1335** — Stilwell, Battles, Davis

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**INTRODUCTION OF JOINT RESOLUTIONS**

The following joint resolutions were read a first time by title and referred to the respective committees:

**HJR 6** — Orentlicher

Committee on Rules and Legislative Procedures

A JOINT RESOLUTION proposing an amendment to Article 8 of the Indiana Constitution concerning the general assembly.

*Be it resolved by the General Assembly of the State of Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Fifteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 4, SECTION 9 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 9. The sessions of the General Assembly shall be held at the capitol of the State, commencing on the ~~Tuesday next after the second first~~ Monday in ~~January~~ **February** of each year in which the General Assembly meets unless a different day or place shall have been appointed by law. But if, in the opinion of the Governor, the public welfare shall require it, ~~he~~ **the Governor** may, at any time by proclamation, call a special session. The length and frequency of the sessions of the General Assembly shall be fixed by law.

**HJR 7** — Bischoff, Ulmer

Committee on Rules and Legislative Procedures

A JOINT RESOLUTION proposing an amendment to Article 1 of the Indiana Constitution concerning the bill of rights.

*Be it resolved by the General Assembly of the State of Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana, which was agreed to by the One Hundred Fourteenth General Assembly and referred to this General Assembly for reconsideration and agreement, is agreed to by this the One Hundred Fifteenth General Assembly of the State of Indiana.

SECTION 2. ARTICLE 1 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY ADDING A **NEW SECTION TO READ AS FOLLOWS: Section 38. The people have a right to hunt, fish, and harvest game, which are a valued part of our heritage and shall be forever preserved for the public good, subject to laws prescribed by the General Assembly and rules prescribed by virtue of the authority of the General Assembly.**

**HJR 8** — Torr

Committee on Rules and Legislative Procedures

A JOINT RESOLUTION proposing an amendment to Article 6 of the Indiana Constitution concerning local government.

*Be it resolved by the General Assembly of the State of*

*Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Fifteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 6, SECTION 2 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 2. (a) There shall be elected, in each county by the voters ~~thereof~~, **of the county**, at the time of holding general elections, **the following offices:**

- (1) A Clerk of the Circuit Court, **whose term of office is four years.**
- (2) An Auditor, **whose term of office is four years.**
- (3) A Recorder, **whose term of office is four years.**
- (4) A Treasurer, **whose term of office is four years.**
- (5) A Sheriff, **whose term of office is six years.**
- (6) A Coroner, **whose term of office is four years. and**
- (7) A Surveyor, ~~who shall, severally, hold their offices for~~ **whose term of office is four years.**

(b) The General Assembly may provide by law for uniform dates for beginning the terms of the county officials listed in subsection (a). If the General Assembly enacts a law to provide a uniform date for beginning the terms of a county official listed in subsection (a), the General Assembly may provide that the term of each county official initially elected after enactment of the law to provide the uniform date for beginning the terms of the county official is for ~~less a term that is shorter than four the~~ **number of years provided in this section** in order to establish a uniform schedule of dates for the beginning of terms for the office. However, after the initial election for each office, the term for that office shall be ~~for four the number of years provided in this section.~~

(c) ~~No~~ A person ~~shall be~~ **is not** eligible to the office of Clerk, Auditor, Recorder, Treasurer, ~~Sheriff~~, or Coroner more than eight years in any period of twelve years. **A person is not eligible to the office of Sheriff more than twelve years in any period of eighteen years.**

SECTION 3. CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY ADDING THE FOLLOWING SCHEDULE:

**SCHEDULE**

**An individual elected to the office of County Sheriff at the 2008 general election is entitled to serve in the office until January 1, 2015, regardless of the number of years the individual has served in the office. An individual elected to the office of Sheriff at the 2010 general election is entitled to serve in the office until January 1, 2017, regardless of the number of years the individual has served in the office.**

**HJR 9** — Torr

Committee on Rules and Legislative Procedures

A JOINT RESOLUTION proposing an amendment to Article 4, Section 5 of the Constitution of the State of Indiana concerning the general assembly.

*Be it resolved by the General Assembly of the State of Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Fifteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 4, SECTION 5 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 5. **(a) Except as provided in subsection (b),** the General Assembly elected during the year in which a federal decennial census is taken shall

fix by law the number of Senators and Representatives and apportion them among districts according to the number of inhabitants in each district, as revealed by that federal decennial census.

**(b) The General Assembly may by law establish a commission to draw congressional and legislative districts according to the number of inhabitants in each district and other criteria established by law. If the General Assembly establishes a commission under this subsection, the following apply:**

- (1) The General Assembly shall fix the number of Senators and Representatives.**
- (2) The districts drawn by the commission are the districts for election of members of Congress and for members of the General Assembly, respectively.**
- (c) The territory in each district shall be contiguous.**

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1034, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

- Page 1, line 14, reset in roman "one".
  - Page 1, line 14, after "one" delete "two".
  - Page 1, line 14, after "thousand two" insert "eight".
  - Page 1, line 14, reset in roman "hundred".
  - Page 1, line 14, reset in roman "fifty".
  - Page 1, line 15, delete "(\$2,000)." and insert "(\$1,850)".
- (Reference is to HB 1034 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BISCHOFF, Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Small Business and Economic Development, to which was referred House Bill 1083, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 6, nays 4.

ORENTLICHER, Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1226, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 13 through 14, begin a new line block indented and insert:

**"(1) Pay the conservation officer the amount of:**

**(A) the fine; and**

**(B) the court costs;**

**that apply if the person does not pay the conservation officer under this section, plus a convenience fee of ten dollars (\$10)."**

(Reference is to HB 1226 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BISCHOFF, Chair

Report adopted.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 1

Representative Stilwell introduced House Concurrent Resolution 1:

A CONCURRENT RESOLUTION to convene a Joint Session of the 115th General Assembly of the State of Indiana.

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That a joint convention of the Senate and House of Representatives be convened, to meet in the Chambers of the House of Representatives at 1:30 p.m. on Wednesday, January 17, 2007, to receive the Chief Justice's message which will be given in compliance with Section 3 of Article 7 of the Constitution of the State of Indiana and the Speaker is hereby directed to appoint a committee of four members of this House to transmit this resolution to the Senate and report to this House such action as the Senate may take thereon.

SECTION 2. That copies of the resolution be transmitted to Chief Justice Randall T. Shepard and the Indiana Senate.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Long.

### House Concurrent Resolution 2

Representatives V. Smith, C. Brown, Crawford, Dickinson, Harris, Mays, Porter, Candelaria Reardon, and Summers introduced House Concurrent Resolution 2:

A CONCURRENT RESOLUTION commemorating Martin Luther King, Jr. Day.

*Whereas, Dr. Martin Luther King, Jr. was one of our nation's truly great leaders;*

*Whereas, Dr. Martin Luther King, Jr. had many dreams: of an America where "justice rolls down like waters and righteousness like a mighty stream"; of an America where neighbors look "beyond the external accidents and discern those inner qualities that make all men human and, therefore, brothers"; of a time when "this nation will rise up and live out the true meaning of its creed, 'we hold these truths to be self evident: that all men are created equal'";*

*Whereas, Dr. Martin Luther King, Jr. had a dream for a better society—a dream where "the sons of former slaves and the sons of former slave owners will be able to sit together at the table of brotherhood";*

*Whereas, The visions of Dr. Martin Luther King, Jr. continue to bring hope and inspiration to people of all nations; and*

*Whereas, All Americans must continue to gather inspiration from the life of Dr. Martin Luther King, Jr. and strive to realize his dreams: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That it is fitting and proper that Dr. Martin Luther King, Jr. be remembered and recognized by future generations of Americans.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the family of Dr. Martin Luther King, Jr.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators S. Smith, Rogers, Breaux, and Howard.



**House Concurrent Resolution 3**

Representative Stilwell introduced House Concurrent Resolution 3:

A CONCURRENT RESOLUTION to convene a Joint Session of the 115th General Assembly of the State of Indiana.

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That a joint convention of the Senate and House of Representatives be convened, to meet in the Chambers of the House of Representatives at 7:00 p.m. on Tuesday, January 16, 2007, to receive the Governor's message which will be given in compliance with Section 13 of Article 5 of the Constitution of the State of Indiana and the Speaker is hereby directed to appoint a committee of four members of this House to transmit this resolution to the Senate and report to this House such actions as the Senate may take thereon.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Long.

**Senate Concurrent Resolution 7**

The Speaker handed down Senate Concurrent Resolution 7, sponsored by Representatives Hinkle and Behning:

A CONCURRENT RESOLUTION honoring Jimmie M. Catt on his retirement.

*Whereas, Jimmie M. Catt, a life-long resident of Wayne Township, has served the residents of Wayne Township faithfully and honorably for many years;*

*Whereas, A graduate of Ben Davis High School, Jimmie Catt served as a deputy sheriff for the Marion County Sheriff's Department from 1967 through 1987;*

*Whereas, Jimmie Catt was elected Wayne Township Constable in 1986, taking office January 1, 1987, and is completing his fifth term as constable;*

*Whereas, In addition to his work as the Wayne Township Constable, Jimmie Catt is an active member of the G.O.P., serving as Wayne 22 precinct committeeman from 1982 to 1986, vice ward chairman in 1987, state G.O.P. delegate, and the vice president, president, and past board member of the Eagle Creek G.O.P. Club;*

*Whereas, Jimmie Catt is currently assistant township chairman;*

*Whereas, Jimmie Catt is also active in the community as a member of the Clermont Lions Club and the 40 West Businessmen's Club; and*

*Whereas, Jimmie Catt has served on several campaign committees for present and past officeholders and is known as someone who is always willing and ready to lend a helping hand: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly expresses its thanks to Jimmie M. Catt for his many years of dedicated service to the citizens of Wayne Township and the state of Indiana and wishes him well in retirement.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to Jimmie M. Catt.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

**OTHER BUSINESS ON THE SPEAKER'S TABLE****Referrals to Ways and Means**

The Speaker announced, pursuant to House Rule 127, that House Bill 1083 had been referred to the Committee on Ways and Means.

**HOUSE MOTION**

Mr. Speaker: I move that a committee of four members of the House be appointed by the Speaker, to act with a like committee of the Senate, to wait upon the Governor and escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly.

STILWELL

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representatives Battles, Dembowski, Duncan, and Gutwein be appointed by the Speaker of the House of Representatives, to act with a like committee of the Senate to wait upon the Governor and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly on January 16, 2007.

STILWELL

Motion prevailed. The Speaker appointed Representatives Battles, Dembowski, Duncan, and Gutwein to escort the Governor.

**HOUSE MOTION**

Mr. Speaker: I move that a committee of four members of the House be appointed by the Speaker, to act with a like committee of the Senate, to wait upon the Chief Justice of the Supreme Court and escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly.

STILWELL

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representatives Cheatham, Candelaria Reardon, Elrod, and Thomas be appointed by the Speaker of the House of Representatives, to act with a like committee of the Senate to wait upon the Chief Justice and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly on January 17, 2007.

STILWELL

Motion prevailed. The Speaker appointed Representatives Cheatham, Candelaria Reardon, Elrod, and Thomas to escort the Chief Justice.

**HOUSE MOTION**

Mr. Speaker: I move that Representative Welch be added as coauthor of House Bill 1026.

DUNCAN

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representative Bischoff be added as coauthor and that Representative Pflum be removed as coauthor of House Bill 1034.

GRUBB

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Battles and Dembowski be added as coauthors of House Bill 1050.

CROOKS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Koch be added as coauthor of House Bill 1070.

CROOKS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Summers be added as coauthor of House Bill 1113.

DUNCAN

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Niezgodski, the House adjourned at 1:50 p.m., this eleventh day of January, 2007, until Tuesday, January 16, 2007, at 1:00 p.m.

B. PATRICK BAUER

Speaker of the House of Representatives

CLINTON McKAY

Principal Clerk of the House of Representatives